



12-30-02

A-576C

1646
AG
Dmt
128-03**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Goldenberg et al.

Serial No.: 09/728,534

Group Art Unit No.: 1646

Filed: November 28, 2000

Examiner: Chernyshev, Olga

For: Polyol/Oil Suspensions For The
Sustained Release of Proteins

Docket No.: A-576C

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AMENDMENT UNDER 37 C.F.R. 1.115Asst. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

The following is part of Applicants' response to the Office Action dated September 27, 2002. In the Office Action, the Oath/Declaration is deemed defective; the specification is objected to as relates to the use of trademarks; Claims 1-12 are rejected under 35 U.S.C. §112, second paragraph, and under the judicially created doctrine of double patenting; Claims 1-3 and 8-12 have been rejected under 35 U.S.C. §102(e); Claims 4-7 are rejected under 35 U.S.C. §103(a).

In a Response dated December 23, 2002, Applicants addressed the objection to the specification and all rejections of the claims advanced in the Office Action. However, Applicants had not yet obtained inventor Goldenberg's signature and therefore could not file a new oath/declaration. Provided herewith is a new oath/declaration which is in compliance with 37 CFR 1.67(a).

EXPRESS MAIL CERTIFICATE

"Express Mail" mail labeling number: EL360692854US

Date of Deposit: December 27, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Lynne Bucksbaum
Printed Name*Lynne Bucksbaum*
Signature

In view of the foregoing and the Response dated December 23, 2002, Applicant respectfully submits that the claims are in condition for allowance and earnestly request the present application pass to issue. Should any matters remain outstanding, the Examiner is encouraged to telephone Applicant's undersigned attorney at (805)-447-3011.

Respectfully submitted,



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Date: December 27, 2002

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